

## **REMARKS**

After the foregoing amendment, claims 1-14 are pending in the application.

### **Rejections Under 35 U.S.C. § 103(a)**

Claims 1-8 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent number 6,587,882 B1 issued to Inoue on July 1, 2003 et al. in view of U.S. Patent number 6,651,105 issued to Bhagwat on November 18, 2003. Applicants respectfully traverse the rejection.

Applicants' claim 1 recites, "A method for configuring a portable and/or mobile host that powers up in a foreign network to connect to the Internet ...".

First, notwithstanding the Office Action suggestion to the contrary, neither Inoue nor Bhagwat teach this limitation. Both Inoue and Bhagwat disclose mobile devices that are powered and operating while they move from one network to another network. See Inoue, column 3, lines 33-40 and Bhagwat, column 2, lines 39-44. This is clearly different from a mobile device that had been powered down and is now powering up in a foreign network without a home address, as recited in applicants' claim 1.

Since neither Inoue's nor Bhagwat's mobile devices are powering up, the combination of Inoue and Bhagwat does **not** teach applicants' claim 1.

Second, the Office Action states that Bhagwat discloses the following limitations of applicants' claim 1:

creating a bootstrapping agent that works cooperatively with a Mobile IP home agent to allocate a temporary home address to said portable and/or mobile host, ... , using said temporary home address to create a temporary tunnel between a foreign agent associated with said portable and/or mobile host and said Mobile IP home agent, wherein said temporary tunnel is used to communicate configuration information including a permanent home address allocated by the DHCP protocol for said portable and/or mobile host to connect to the Internet.

Applicants disagree.

As stated hereinabove, Bhagwat discloses that when a mobile host moves to a new subnet other than its home subnet it registers its current address with an agent in its home subnet called the “home agent”. The mobile host’s current address is the IP address of a foreign agent in the new subnet or a temporary IP address obtained by mechanisms such as DHCP. As those of ordinary skill in the art well know, the IP address of a foreign agent in the new subnet or a temporary IP address is the so-called “care of address”.

The care of address is not the temporary home address recited in applicants’ claim 1. This is readily apparent since dynamic home addressing, as required when a mobile host powers up in a foreign network, is not specified in the Mobile IP standard. Specifically, a mobile host that powers up in a foreign network with no home address cannot contact addressing servers in its home network through conventional DHCP broadcasting. Any upstream broadcast messages sent from the mobile host to the home network will be received by a local server or relay in the foreign network, which may offer an address from its own lease pool, not that of the host’s home network. Therefore the temporary address disclosed by Bhagwat must reside on a server other than one in the home network. Thus the temporary address disclosed in Bhagwat is not a temporary home address as recited in applicants’ claim 1.

In view of the foregoing, claim 1 is allowable over the combination of Bhagwat and Inoue. Since claims 2-8 ultimately depend from claim 1, these claims are also allowable.

#### Rejections Under 35 U.S.C. § 102(e)

Claims 9-14 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent number 6,651,105 issued to Bhagwat on November 18, 2003. Applicants respectfully traverse this rejection.

Similar to independent claim 1, independent claims 9, 10, 12, 13, and 14 recite a limitation “powers up in a foreign network”. Bhagwat does not describe each and every element of claims 9, 10, 12, 13, and 14 for the above-mentioned

Serial No. 09/662,531

reasons, and therefore claims 9, 10, 12, 13, and 14 are not anticipated by Bhagwat. Since claim 11 depends from claim 10, this claim is also allowable over Bhagwat.

Claim Amendments

Claims 1, 10, and 12 have been amended to change "M-IP" to "Mobile IP". No new matter has been added.

Conclusion

In view of the foregoing amendments and remarks, applicants submit that this application is in condition for allowance, and reconsideration is therefore respectfully requested. If there are any outstanding issues that the Examiner feels may be resolved by way of a telephone conference, the Examiner is invited to contact the undersigned to resolve the issues.

Respectfully submitted,

Thomas F. La Porta

By James Milton  
James Milton, Attorney  
Reg. No. 46935  
(732) 949-7365

Date: 10/20/04

Atts.

I hereby certify that this correspondence is being deposited in the United States Postal Service as first class mail in an envelope with sufficient postage addressed to: Mail Stop No-Fee Amendment  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Oct. 20, 2004

Sharon L. Lobosco  
Sharon L. Lobosco

Date 10/20/04